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Attorney Docket No. 55503 (45487)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Holm et al.

Art Unit: 1654

U.S.S.N: 09/551,336

Examiner: M. Audet

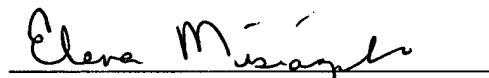
FILED: April 18, 2000

FOR: IMPROVED SOLID-PHASE PEPTIDE SYNTHESIS AND AGENT FOR USE IN
SUCH SYNTHESIS

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 4, 2003.

By:


Elena Misiasak

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement of July 15, 2003, Applicants hereby elect Group I, which presently includes claims 1-20, with traverse.

The present election is made solely to comply with the restriction requirement set forth in the Office Action. It should not be construed as a disclaimer or surrender of any subject matter in the application. The right to file one or more divisional applications on the non-elected claims is reserved.

Applicants respectfully request reconsideration of the Restriction Requirement as set forth. For example, it is believed that no undue burden would be imposed by examination of the four groups, because searches for these groups would overlap significantly. Accordingly, it is requested that the restriction requirement be reconsidered.

The Examiner has stated:

Applicant is required to select a single compound to be examined...and to identify all claims readable on that compound (if Group I is elected). For instance, if Group I (or any other Group) is elected, then all variables of the structure "X-AA1-AA2....AA_n-Y" must be specifically identified, so that a search of the structure (peptide), and processes of making the peptide, may be conducted. This requirement is not to be taken as an election of species, but rather as an election of a single invention, since each compound is assumed to be patentably distinct, in the absence of evidence to the contrary. (P. 4.)

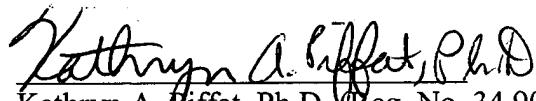
Applicants hereby selects the compound: H-Ala₁₀-Lys-OH

Applicants request that claims 1-20 be examined. Applicants submit that the above compound reads on claims 1-20.

Applicants believe that only a four-month extension of time is required, because this Response is being filed within four (4) months after the expiration of the specified one (1) month period. Applicants petition for a four-month extension of time and include payment of fees for the four-month extension of time. If an additional extension is needed, applicants hereby conditionally petition for an extension of time to provide for the possibility that the need for such a petition has been inadvertently overlooked.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,


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Date: December 4, 2003

BOS2_356881.1